

**AMENDMENTS TO THE DRAWINGS:**

The attached sheet of drawings includes changes to FIG. 2. The sheet, which includes FIG. 2, replaces the replacement sheet including FIG. 2 previously submitted. In FIG. 2, omitted lines that were shown in the original informal drawings have been added.

### **REMARKS**

Applicant respectfully requests reconsideration of this application, as amended, and reconsideration of the Office Action mailed May 11, 2005. Claims 28 and 29 are canceled without prejudice. Upon entry of this amendment, claims 1-27 and 30-37 will be pending in this application.

Applicant has amended claims 1-27 and 30-37. Support for the amendments is in the original claims and drawings as filed, and in the specification at page 6, line 3 to page 7, line 8 (support features 40 described) and at page 5, lines 15-17 (angles differ from ninety degrees described). No new matter has been added.

Applicant has amended FIG. 2 to include proper line depictions that were shown in the informal drawings as filed but incorrectly absent from FIG. 2 in the formal drawings submitted November 25, 2003. No new matter has been added.

Claims 1-8, 17, and 29 stand rejected under 35 U.S.C. § 102(b) or under 35 U.S.C. § 103(a) as being anticipated by or obvious over U.S. Pat. No. 4,399,972 to McCulloch (McCulloch '972). Claims 1-37 stand rejected under 35 USC § 103(a) as being obvious over US Pat. No. 5,664,394 (Sweeny '394) in view of McCulloch '972. Applicant respectfully traverses these rejections based on the present amendments to independent claims 1 and 18 (and dependents thereof) including the limitations of the plurality of side surfaces forming angles "differing from ninety degrees" and a pad adapted to nest a similar other pad in its core. Further, independent claim 1 (and dependents thereof) has been amended to include the element of at least one

removable support "feature" (see element **40** described in the specification and drawings) mating with the pad core and for contacting ground beneath a pad. Because none of the cited references teach or suggest the identified elements and limitations of the amended claims, Applicant respectfully requests that the present rejections be withdrawn.

Specifically, McCulloch '972 teaches a platform of corrugated paperboard in which flat sheets are folded over and to contain a paper honeycomb insert. McCulloch discloses in FIG. 1 that a "blank" initially includes no side surfaces and provides no "pad" with a "core" adapted for "nesting" a similarly constructed pad. In fact, as shown in FIG. 4, the "blank", when folded, includes perpendicular corner edges (bottom surface to side surfaces) of ninety degrees that render nesting with another "blank" impossible. Further, honeycomb ribbing prevents any "folded" blank form being able to nest another blank.

In addition, McCulloch '972 fails to teach or suggest any "support feature" as in claims 1-17. A feature disclosed as element **40** in the present invention provides ground contact for supporting a pad. This element is not contemplated by the McCulloch '972 reference. McCulloch '972 and Sweeney '394 also both fail to teach any insert ribbing adapted to nest a similarly formed second insert ribbing as in claim 18 (and dependents thereof).

As McCulloch '972 does not teach or disclose any "feature" of claims 1-17 or any pad of claims 1-27 and 30-37 with angles differing from ninety degrees so that a core is

adapted to nest similarly constructed pads, the present invention cannot be obvious or anticipated over the cited reference.

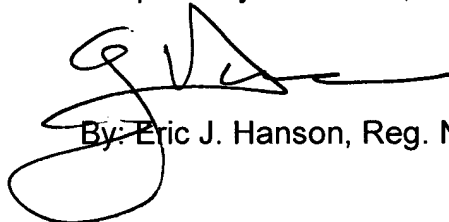
Further, Sweeney '394 teaches at FIGS. 2 and 3, and at col. 2, lines 63, a pad with integrated downward and fully extending ribs (24), i.e., do not remove, that cannot provide a core within which another pad can "nest". Those skilled in the art would appreciate that as the core of the Sweeney '394 pad includes fully extending permanent ribs (24), one cannot arrive at the present invention of a pad with a core adapted to "nest" another pad. In this regard, even if one skilled in the art attempted to combine the "blank" of McCulloch '972 with the Sweeney '394 patent, one cannot arrive at the claims of the present invention that include a core adapted to nest a similar pad.

Sweeney '394 also discloses, in addition to permanent fully extending ribs, a structure with corners of ninety degrees that further preclude a pad with a core adapted to nest another pad. It will be appreciated that corners with a ninety degree angle prohibit another pad from "fitting" or "nesting" inside a similar pad. As both Sweeney and McCulloch specifically teach away from the elements of claim 1-27 and 30-37 of side surfaces "forming respective angles with the top surface that differ from ninety degrees", and therefore render impossible a pad with core adapted to "nest" a like pad, the present invention is necessarily novel and non-obvious over the cited references.

For the foregoing reasons, Applicant requests that a timely Notice of Allowance be issued in this case.

If any additional fees are due in connection with the filing of this Amendment or the accompanying papers, please charge the fees to SGR Deposit Account No. 02-4300, Order No. 028924.027. If an additional extension of time under 37 C.F.R. §1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The additional extension fee should also be charged to SGR Deposit Account No. 02-4300, Order No. 028924.027. Any overpayment can be credited to Deposit Account No. 02-4300, Order No. 028924.027.

Respectfully submitted,



By: Eric J. Hanson, Reg. No. 44,738

Dated: August 11, 2005  
SMITH, GAMBRELL & RUSSELL, LLP  
Suite 3100, Promenade II  
1230 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3592  
Ph: (404) 815-3706  
Fax: (404) 685-7006



**Fig - 2**

